

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SHARON TOLDSON, individually and on behalf of the
Estate of Pamela Davis,

Plaintiff,

v.

UDL LABORATORIES, INC., MYLAN BERTEK
PHARMACEUTICALS, INC., MYLAN
PHARMACEUTICALS, INC. and MYLAN, INC.,

Defendants.

Case No. 10-cv-1006-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on the plaintiff's response to the Court's January 10, 2011, order to show cause and the parties' joint request to transfer this case to the United States District Court for the Western District of Washington (Doc. 18). The Court had ordered plaintiff Sharon Toldson to show cause on or before February 4, 2011, why the Court should not transfer this case to the United States District Court for the Western District of Washington pursuant to 28 U.S.C. § 1404(a) in light of the fact that this case appears to have no connection to the Southern District of Illinois. In response, the parties have informed the Court that, indeed, venue is improper here and that the case must be dismissed or transferred pursuant to 28 U.S.C. § 1406(a). In light of the agreement of the parties, who are more familiar with the facts of the case than the Court is, the Court hereby **TRANSFERS** this case to the United States District Court for the Western District of Washington pursuant to 28 U.S.C. § 1406(a).

IT IS SO ORDERED.

DATED: February 7, 2011

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE